

PERMANENT WITHDRAWAL OF 40-ACRE TRACT IN
NEW MEXICO FOR USE OF NAVAJO INDIANS

JANUARY 16, 1925.—Committed to the Committee of the Whole House on the
state of the Union and ordered to be printed

Mr. MORROW, from the Committee on Indian Affairs, submitted the
following

REPORT

[To accompany H. R. 11360]

The Committee on Indian Affairs, to whom was referred the bill
(H. R. 11360) to provide for the permanent withdrawal of a certain
40-acre tract of public land in New Mexico for the use and benefit
of the Navajo Indians, having considered the same, report thereon
with a recommendation that it do pass without amendment.

The reasons why this legislation is necessary are fully set forth in
the letter from the Secretary of the Interior, which is attached hereto
and made a part of this report.

DEPARTMENT OF THE INTERIOR,
Washington, December 16, 1924.

HON. HOMER P. SNYDER,
Chairman Committee on Indian Affairs,
House of Representatives.

MY DEAR MR. SNYDER: On October 24, 1924, the President by Executive
order directed the temporary withdrawal from settlement, entry, sale, or other
disposition, until March 5, 1927, a 40-acre tract of land on the public domain
in New Mexico.

The purpose of this order was to prevent the disposal of the land under existing
law pending its permanent withdrawal by act of Congress for the use and benefit
of certain Navajo Indians residing in the immediate vicinity. The act of May
25, 1918 (40 Stat. L. 551-570), prohibits the creation of Indian reservations in
New Mexico and Arizona, or any additions thereto except by act of Congress.
This procedure is therefore necessary in order that the rights and interests of
the Indians may be protected in the continued occupancy and use of the land.

The records of this department show that the irrigation branch of the Indian Service had a well drilled on the tract desired for the benefit of the Indians, on the theory and with the belief that a certain Navajo Indian had established a settlement right thereon, and it was intended that the land be applied for by a daughter of this Indian, inasmuch as he is now deceased. It subsequently developed that no such settlement right had been acquired.

For these reasons it is recommended that the inclosed draft of a bill or similar legislation be given the favorable consideration by your committee and the Congress during the present session, in order that the rights of the Indians may be fully protected and the land permanently reserved for their use.

Very truly yours,

HUBERT WORK.

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